

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH CONNORS AND JOSE LUNA RUBIO,  
Individually and on behalf of all others similarly situated,

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 04/21/2021

Plaintiffs,

Case No. 20-CV-5046

- against -

AMERICAN MEDICAL RESPONSE, INC., AND  
SENIORCARE EMERGENCY MEDICAL SERVICES,  
INC.

Defendants. .

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**PROPOSED ORDER GRANTING ASSENTED-TO MOTION FOR PRELIMINARY  
APPROVAL OF SETTLEMENT AGREEMENT**

Based on the declaration of Paul A. Pagano (“Pagano Dec.”) dated April 9, 2021 and Plaintiffs’ memorandum of law dated April 9, 2021, Plaintiffs’ assented-to motion for preliminary approval of the parties’ Class Settlement Agreement and Release submitted to the Court on April 9, 2021 (“Settlement Agreement”) is GRANTED, and the Court hereby:

1. Grants preliminary approval of the Settlement Agreement attached to the Pagano Dec. as Exhibit 2;
2. Preliminarily certifies the following settlement class under Fed. R .Civ. P. 23(a), (b)(1) and (b)(3) for purposes of effectuating the parties’ settlement:

all individuals who performed work as Emergency Medical Technicians or Paramedics in connection with a deployment in New York in response to the COVID-19 pandemic during the period beginning March 29, 2020 and continuing through May 30, 2020

3. Approves the proposed class notice and claim form, attached to the Pagano Dec. as Exhibit 3 and distribution thereof to the settlement class members;

- 8/24/21  
11:00 a.m. Courtroom 17D  
500 Pearl St., NY, NY*
4. Sets the date for a fairness hearing as 11:00 a.m., Courtroom 17D  
500 Pearl St., NY, NY
  5. Approves the proposed class action settlement procedure;
  6. Appoints The Moser Law Firm, P.C. as Class Counsel; and
  7. Approves the proposed schedule for final settlement approval as follows:
    - A. Within fifteen (15) calendar days after the Preliminary Approval Order, Defendant SeniorCare will provide the Settlement Claims Administrator, in electronic form, the following information for all Class/Collective Members: name, telephone number, social security number, last known address, and e-mail address as that information exists on file with Defendant SeniorCare. All such information provided to the Settlement Claims Administrator will also be provided to Class Counsel, except for the Class/Collective Members' last known addresses and social security numbers.
    - B. Within fifteen (15) days after Defendant SeniorCare provides the information set forth above to the Settlement Claims Administrator, the Settlement Claims Administrator shall mail to all Class/Collective Members, at the addresses provided by Defendant SeniorCare, via First Class United States Mail, postage prepaid, the Court-approved notice and claim form. The Court-approved notice and claim form shall also be emailed to all Class/Collective Members.
    - C. Consistent with the Settlement Agreement, Class/Collective members have 45 days after the date the notices are mailed to submit claim forms, opt-out statements, or objections.
    - D. The Claims Administrator will use all reasonable efforts to reach Class/Collective Members as set forth in the Settlement Agreement.
  - E. A fairness hearing shall be held on August 24, 2021
  - F. Not later than fifteen (15) days before the final fairness hearing, Plaintiffs will prepare and file a Motion for Final Approval of the Settlement.
  - G. If the Court grants Plaintiffs' Motion for Final Approval of the Settlement, the Court will issue a Final Approval Order and dismiss the lawsuit consistent with the terms of the Settlement Agreement.
  - H. The settlement checks to Authorized Claimants, payment to the Claims Administrator and payment to Class Counsel for attorneys' fees and costs will be issued by the Claims Administrator within thirty (30) days after the Final Effective Date.

**SO ORDERED:**

*Katharine H. Parker*  
Magistrate Judge Katharine H. Parker

Dated: 1/21/2021